

SENATE BILL 1431

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 43,
Chapter 11 and Title 68, relative to use of toxic
waste materials as fertilizer.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 43, Chapter 11, Part 1, is amended by
adding the following as an appropriately designated new section:

43-11-125.

(a) It is an offense to knowingly use toxic waste materials or substances as
fertilizer or in any other land preparation application if such materials or substances were
ever classified as toxic in any other circumstance.

(b) This prohibition shall also apply to the use of any substance containing heavy
metals as fertilizer or in any other land preparation application.

(c) A violation of subsection (a) or (b) is a Class E felony.

(d) The commissioner of agriculture is authorized to promulgate rules and
regulations to effectuate the purposes of this act. All such rules and regulations shall be
promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4,
Chapter 5. The commissioner is authorized to impose a remedial civil penalty for each
violation of such rules and regulations in an amount not to exceed one thousand dollars
(\$1,000) per violation.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.